

**Notice of Allowability**

Application No.

10/670,374

Examiner

VAN T. PHAM

Applicant(s)

PARK ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/29/2007.
2. ☒ The allowed claim(s) is/are 1, 4-7, 9-14, 16-24, 27-30, 33-37 and 39-42, have been renumbered as 1-33, respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

WAYNE YOUNG  
SUPERVISORY PATENT EXAMINER

***Election/Restrictions***

1. Claims 1, 4-7, 9-14, 16-24, 27-30, 33-37 and 39-42, have been renumbered as 1-33, respectively are allowable. The restriction requirement Species, as set forth in the Office action mailed on 09/26/2006, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 4, 11-14, 18-22, 27, and 30-37, directed to Species no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance:

Takahashi (US 2006/0077827) discloses a method of managing defects on a write-once optical recording medium having at least one recording layer, the method comprising the steps of: allocating at least one replacement area and a plurality of temporary defect management areas to the optical recording medium (see Fig. 5), wherein the temporary defect management areas are separately provided (see Fig. 5); and recording defect management information on at least one of the plurality of temporary defect management areas (see Fig. 5 and [0074] and [0103]).

Takahashi Fig. 5, discloses the method of managing of claim 1, wherein the step of allocating further comprises: allocating at least one outer spare area, a portion of which is used as a replacement area to replace a defective area (see Fig. 10); and allocating a portion of at least one of the at least one outer spare area as a temporary defect management area to manage defect management information (see [0074]).

Ito, see Fig. 5, discloses a step of allocating at least one inner spare area, at least a portion of which is used as a replacement area to replace a defective area; allocating at least one outer spare area, a portion of which is used as a replacement area to replace a defective area (see Fig. 5); and allocating a portion of at least one of the at least one outer spare area and the at least one inner spare area as a temporary defect management area to manage defect management information (see abstract).

None of the references cited in the record disclose or suggest recording the defect management information from the at least one temporary defect management area to the at least one final defect management area when the recording medium is finalized.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Cited References*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to spare are with a predetermined capacity for a detective sector allocated in each zone, recording apparatus, and recording method; Information recording medium, recording apparatus, reproduction apparatus, recording method, reproduction method and defect management method.

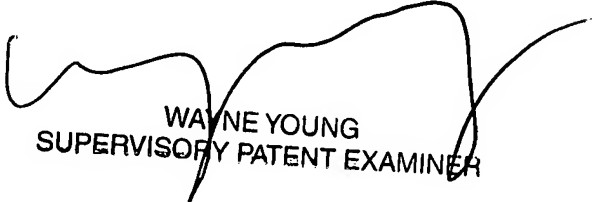
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Friday from 9:00am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP

  
WAYNE YOUNG  
SUPERVISORY PATENT EXAMINER